



Order Filed on May 24, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

52286
Morton & Craig LLC
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Attorney for Quantum3 Group, LLC
as agent for MOMA Trust LLC, as assignee of Sierra
Auto Finance

Case No. 19-16308

In Re:


Judge: (ABA)

GIRVISH PHELPS

**ORDER RESOLVING MOTION FOR STAY RELIEF AND CO-DEBTOR RELIEF:
FOR SECURED AMOUNT TO BE PAID THROUGH DEBTOR'S CHAPTER 13 PLAN
ADEQUATE PROTECTION PAYMENTS, AND STAY RELIEF AND CO-DEBTOR
RELIEF UNDER CERTAIN CIRCUMSTANCES**

The relief set forth on page number two (2) through three (3) is hereby **ORDERED**.

DATED: May 24, 2021



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Girvish Phelps

Case No: 19-16308

Caption of Order: Order Resolving Motion For Stay Relief And Co-Debtor Relief: for secured amount to be paid through Debtor's Chapter 13 plan, adequate protection payments, and stay relief and co-debtor relief under certain circumstances

This matter having brought before this Court on a Motion For Stay Relief And Co-Debtor Relief filed by John R. Morton, Jr., Esq., attorney for Quantum3 Group, LLC as agent for MOMA Trust LLC, as assignee of Sierra Auto Finance ("Quantum3"), with the appearance of Andrew M. Carroll, Esq. on behalf of the Debtor, and this Order having been filed with the Court and served upon the Debtor and his attorney under the seven day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

- 1. That Quantum3 is the holder of a first purchase money security interest encumbering 2013 Nissan Rogue bearing vehicle identification number JN8ASSMVXDW630049.**
- 2. That the secured amount that Quantum3 shall be paid through the Debtor's plan shall be \$16,754.64. This amount is reached using the agreed value of the vehicle of \$13,063.00, amortized at 16.95% over the remaining thirty-six (36) months of the plan.**
- 3. That commencing May 2021, the Chapter 13 Trustee is hereby directed to make monthly adequate protection payments to Quantum3 in the amount of \$465.41. Adequate protection payments to Quantum3 shall be made monthly up to and after confirmation, until all counsel fees have been paid and regular distributions begin to be made to Quantum3. If in any month there are insufficient funds on hand to pay both counsel fees and adequate protection payments, then funds on hand shall be used to pay adequate protection payments first, with the remaining balance going to counsel fees. If, after confirmation, counsel fees remain to be paid, then adequate protection payments shall continue to be paid to Quantum3 until the remaining counsel fees have been paid. The Debtor shall receive a credit for all adequate protection payments made against the total amount to be received by Quantum3 through the plan.**

(Page 3)

Debtor: Girvish Phelps

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Caption of Order: Order Resolving Motion For Stay Relief And Co-Debtor Relief: for secured amount to be paid through Debtor's Chapter 13 plan, adequate protection payments, and stay relief and co-debtor relief under certain circumstances

- 4. That commencing May 2021, if the Debtor fails to make any payment to the Chapter 13 Trustee within thirty (30) days after it falls due, Quantum3 shall be entitled to stay relief and co-debtor relief upon filing a certification with the Court and serving it on the Debtor, his attorney, and the Chapter 13 Trustee.**
- 5. That the Debtor must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Quantum3 Group must be listed as loss payee. If the Debtor fails to maintain valid insurance on the vehicle, Quantum3 shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtor, his attorney, and the Chapter 13 Trustee.**
- 6. That Quantum3 shall retain its lien on the vehicle until the earlier of payment of the underlying debt under non-bankruptcy law, or the Debtor receiving a discharge.**